

DATE: January 17, 2002

TO: Retro Advisory Committee

FROM: Frank Romero (Chair), Retro Program Manager

SUBJECT: Minutes of January 15, 2002, retro advisory committee meeting

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The meeting was called to order at approximately 1:07 PM, by committee chair **Frank Romero**.

Ann Jarvis (Associated Builders & Contractors of Western Washington) was introduced as the newest member of the committee; she was appointed to fill the vacancy created by the departure of Stephen Foster (Inland Pacific Chapter of Associated Builders & Contractors). Further introductions were made around the room, and the meeting agenda was reviewed by the committee.

It was moved, seconded and carried to *approve* the minutes of October 9, 2001, as published.

Time Loss Duration - **Sandy Dziedzic** (Claims Administration) presented an update on the Time Loss Duration (TLD) initiative. She stated that the department has met their overall proxy goal of a 15% reduction in time loss claims; however, they have not met the goal on claims from one to four years old. She told the committee that a new unit has been established to deal exclusively with occupational hearing loss claims. There is also a team of claim managers that are assigned to different areas on a rotating basis, to deal with specific adjudication issues.

Employer Protests - **Sandy** also discussed the issue of employer protests. The goal is for claim managers to resolve protests within 90 days of receipt. There are now fewer staff assigned to investigations since many of those positions were reassigned to claims when the TLD initiative began. Generally, the claim manager is supposed to make a minimum of two attempts to ascertain the validity of the facts protested by the employer; they then can request further investigation if necessary. The claim consultants are now handling ministerial orders only, and only work on claims that are in appeal status. Sandy asked that employers assist the department with the process by being sure that protest letters include all of the pertinent information necessary. She also advised the committee to forward any feedback on specific cases, as it could help the department in developing best practices for handling protests.

- Committee member **Roger Sims** (Commencement Bay Corrugated) explained that many times when a detailed letter of protest is submitted to the department they do not receive a written reply but simply a "boiler plate" Order issued by the claim manager-either affirming or denying the original decision. Sandy explained that claim managers are supposed to include a letter with each order that gives the rationale for their decision; this letter should also respond to the issues raised in the employers' letter of protest. Again, Sandy asked for feedback so that the training process for claim managers can be improved.
- Committee member **Steve George** (Hop Growers of Washington) asked whether the department has considered refusing "generic" protests in which no specific issue is raised, but instead require that an explicit reason be provided. Sandy offered the opinion that this could not be done without direction from the legislature.

Retro Symposium - **Frank Romero** (committee chair) discussed preliminary plans for the *2002 Retro Symposium*, to be held in conjunction with the Governor's Industrial Safety & Health Conference in September. He is in the process of lining up speakers and panelists to discuss occupational hearing loss, and asked whether the retro community would be willing to underwrite the symposium as has been done in the past.

- Audience member **Terry Peterson** (Comprehensive Risk Management) said there may be a fund that was established several years ago for this purpose. **Bonnie Way** (Approach Management Services) volunteered to check with **Mike Sotelo** (W.G. Clark Construction), as he was involved with past symposium projects.

ORCA Project - **Mary Shatto** (Employer Services) presented information regarding the Online Reporting and Claim Accessibility Project (ORCA). The department is researching how the concept of "E-Commerce" can be applied to

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industrial insurance. This could include such things as external access to the imaging system, use of electronic mail for claims correspondence, expanded access to claim information via the internet, etc. The project is currently reaching out to various stakeholder groups for their ideas and feedback, for use in this two-year feasibility study. Once the study has been completed, they intend to ask the legislature to approve funding of a live pilot project. Her presentation was met with a positive and enthusiastic response from the committee and audience members. She will keep the committee posted on the progress of the ORCA project. (See handout)

Possible Rule Changes - **Frank Romero** provided an overview of possible changes to the Washington Administrative Code governing the retro program (also referred to as "retro rules"); these are being proposed mainly for clarification of existing rules. He will incorporate the feedback received today and send out a new draft next week. Frank suggested to members that a recommendation on the proposed changes be discussed at the next retro advisory committee meeting on April 9, 2002. (See attachment)

Change of Retro Valuation Date - **Bill Vasek** (Senior Actuary) discussed a proposal to move the retro valuation ("freeze") date up approximately 15 days. This would align the valuation process to better mesh with other financial computations and actuarial calculations that need to be completed at around the same time, and would help to enhance and streamline the overall process. Since the retro rules state the valuation shall take place 9 to 10 months following the end of the coverage period-- and this change would still be within that timeframe-- it would not need to go through the formal rule-making process. Nevertheless, the department would give ample warning to retro participants should this change be implemented. Bill also said the timetable for retro reports could be moved up so that retro members would not "lose" any days needed to get claims resolved prior to the adjustment.

- **Steve George** asked why there is such a delay in the production of quarterly reports once the quarter has ended. **Frank** will research this and report at the next meeting.

Good of the Order

- Committee member **Merri Feet** (Washington Trucking Associations) asked that someone from the Office of Medical Director attend a future meeting to discuss employers problems in dealing with chiropractors, nurse practitioners and other providers.
- **Roger Sims** asked the department to arrange for a medical doctor as guest speaker, to discuss occupational hearing loss issues.
- Committee member **Larry Hoehne** (Washington Food Industry) asked how the department determines who has access to claim information when there is a change in the employer or legal representative on a claim. Frank explained that regardless of who is or is not assigned as a representative, the employer of record will always have access to the claim file.
- **Frank** advised the committee that retro claim managers have recently been assigned active caseloads since being relieved of the hearing loss claims in December 2001. This will end in March or April of this year. He asked committee members and the retro community to give feedback on the customer service(s) they need/expect from retro staff once they are working only on retro duties again. He clarified that only those services previously provided would be considered, not new or additional ones.

With that, Frank thanked all in attendance and adjourned the meeting at 2:47 PM.

The next meeting will begin at 1:00 PM on Tuesday, April 9, 2002.